

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 12945 OF 2015
DECIDED ON: NOVEMBER 01, 2017

AJIT RAM

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORP.
LTD. AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashish Grover, Advocate
for the petitioner.

Mr. Puneet Bhandari, Advocate,
for the respondents.

JASPAL SINGH, J (ORAL)

Through instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus directing the respondents to release interest @ 18% per annum on the delayed payment of pensionary benefits specially in respect of payment of gratuity, pension, commutation of pension etc. in terms of statutory rules, govt. instructions and law laid down by Full Bench of this Court in “***R.S. Randhawa v. State of Punjab and others***”, 1997 (3) RSJ 318.

2. The contention of learned counsel for the petitioner is that though petitioner stood retired on 30.04.2012 as Divisional Supdt. but pensionary benefits have been released to him with long delay without any rhyme and reasons. No doubt, a charge sheet was issued against him on 26.07.2012 under

Rule 8 of the Punjab State Electricity Board Employees (Punishment and Appeal) Rules, 1971, but it was subsequently dropped on 30.07.2014. Even the incident mentioned in the charge sheet pertained to the year 2006.

3. Learned counsel for the petitioner contends that though representation dated 12.04.2015 (Annexure P-6) was duly served upon the respondents but till date neither any response has been received nor any conscious decision has been taken. He submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid representation, within a stipulated period.

4. Taking into consideration the aforesaid aspects of the case, the instant petition is disposed of with a direction to the respondents to consider the grievances unfolded by the petitioner in his representation dated 12.04.2015 (Annexure P-6) and to decide the same as per Govt. Instructions issued from time to time with regard to delayed payments of retiral benefits as well as keeping in view the observations made by Full Bench judgment of this Court in case captioned as “*R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*”, within a period of three months from the date of receipt of certified copy of this order. The petitioner shall also be entitled to interest @ 9% per annum, after three months from the date of his retirement till its realization.

5. However, if the petitioner still feels aggrieved against the order passed by the concerned authority, he shall be at liberty to approach this Court.

NOVEMBER 01, 2017

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Whether speaking/reasoned Yes

Whether reportable Yes/No

(JASPAL SINGH)

JUDGE